

Applicant or Patentee: Edward P. Ingenito
 Serial or Patent No.: 09/379,460
 Filed or Issued: August 23, 1999
 For: TISSUE VOLUME REDUCTION

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
 (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 4(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled TISSUE VOLUME REDUCTION described in

the specification filed herewith.
 application serial no. 09/379,460 , filed August 23, 1999.
 patent no. , issued .

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

no such person, concern, or organization.
 persons, concerns or organizations listed below.

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name: _____

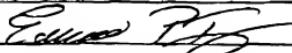
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INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status when any new rule 33 application is filed or prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like set forth are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Inventor: Edward P. Ingenito

Signature: 

Date: 11/3/89

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled ISSUE VOLUME REDUCTION, the specification of which was filed on August 23, 1999 as Application Serial No. 09/379,460.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Codd of Federal Regulations, §1.56.

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Peter J. Devlin, Reg. No. 31,753, Lee Crews, Reg. No. 43,567, Timothy A. French, Reg. No. 30,175, Kurt L. Glitsenstein, Reg. No. P19,616, John F. Hayden, Reg. No. 37,640, Phyllis K. Krystal, Reg. No. 38,524, Frank R. Occhiuti, Reg. No. 35,306, Cary A. Walpert, Reg. No. 26,098.

Address all telephone calls to Peter J. Devlin at telephone number 617/542-5070.

Address all correspondence to Peter J. Devlin, Fish & Richardson P.C., 225 Franklin Street, Boston, MA 02110-2804.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: Edward P. Ingenito

Inventor's Signature: Edward P. Ingenito

Date: 11/3/99

Residence Address: Kingston, MA

Citizen of: United States of America

Post Office Address: 2 Sunrise Drive, Kingston, MA 02364

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Revised August 24, 1994 (99)DECLMRC



PJD
LLC
JLK

FEBRUARY 03, 2003

PTAS

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
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FISH & RICHARDSON
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BOSTON, MA 02110-2804



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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/21/2002

REEL/FRAME: 013397/0932

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:
EDWARD INGENITO

DOC DATE: 10/16/2002

ASSIGNEE:
BISTECH, INC.
10 ROESSLER RD.
WOBBURN, MASSACHUSETTS 01801

SERIAL NUMBER: 09379460
PATENT NUMBER:

FILING DATE: 08/23/1999
ISSUE DATE:

LAZENA MARTIN, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

• No Docketing Required •	
Reviewed By Practice Systems	
Initials:	PEC
Reviewed By Billing Secretary	
Initials:	

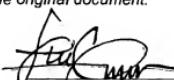
10-23-2002

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Commissioner for Patents: Please record the attached original document(s) or copy(ies).	
<p>1. Name of conveying party(ies): Edward Ingenuito, M.D.</p> <p>Additional name(s) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: Execution Date: 10/16/02 </p>	<p>2. Name and address of receiving party(ies): Bistech, Inc. 10 Roessler Rd. Woburn, MA 01801 </p> <p>Additional names/addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>4. Application number(s) or patent number(s): If this document is being filed with a new application, the execution date of the application is:</p> <p>A. Patent Application No(s).: 09/379,460</p>	<p>B: Patent No(s.):</p> <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>5. Name/address of party to whom correspondence concerning document should be mailed: LEE CREWS, PH.D. Fish & Richardson P.C. 225 Franklin Street Boston, Massachusetts 02110-2804 </p>	<p>6. Total number of applications/patents involved: 1</p> <p>7. Total fee (37 CFR §3.41): \$40 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to charge Deposit Account.</p> <p>8. Deposit Account No.: 06-1050 Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.</p>
DO NOT USE THIS SPACE	
<p>9. Statement and Signature: <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i></p> <p>Lee Crews, Ph.D. <u>Reg. No. 43,567</u> Name of Person Signing</p> <p> Signature</p> <p><u>October 16, 2002</u> Date</p>	
Total number of pages including coversheet, attachments and document: 3	

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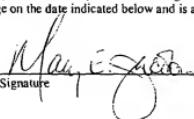
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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner of Patents, Washington, D.C. 20231.

October 16, 2002
 Date of Deposit


 Signature

Mary Elizabeth Jacoby
 Typed Name of Person Signing Certificate

ASSIGNMENT

For valuable consideration, I, EDWARD INGENITO, of 2 Sunrise Drive, Kingston, MA 02364, hereby assign to: Bistech, Inc., a corporation of Delaware having a place of business at: 10 Roessler Rd., Woburn, MA 01801; and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by me, entitled TISSUE VOLUME REDUCTION, filed August 23, 1999, and assigned U.S. Serial Number 09/379,460; this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and I authorize the Assignee to apply in all countries in my name or in its own name for patents, utility models, design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and I agree for me and my respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at Boston, MA.
this 16th day of October, 2002

 L.S.
EDWARD INGENITO

State of MA :

: ss.

County of Suffolk:

Before me this 16th day of October, 2002, personally
appeared EDWARD INGENITO known to me to be the person whose name is subscribed to the
foregoing Assignment and acknowledged that he executed the same as his free act and deed for
the purposes therein contained.


Notary Public

My Commission Expires:

[Notary's Seal Here]